

REMARKS

The rejection of claims 173-192, 195-230, 233 and 234 for obviousness-type double patenting over claims 19-49 of U.S. Patent No. 6,869,941 is respectfully traversed. The method claims 19-49 of the '941 patent recite use of drospirenone, in general. See claim 19, upon which all the other method claims ultimately depend. The '941 claims do not recite a method using drospirenone:

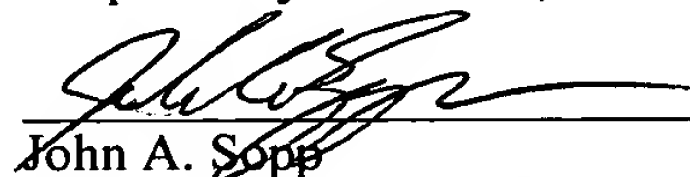
- "in a form having a rapid dissolution such that at least 70% of said drospirenone is dissolved from a tablet containing 3 mg of drospirenone in 900 ml of water at 37°C within 30 minutes, as determined by USP XXIII Paddle Method using a USP dissolution test apparatus 2 and 50 rpm as the stirring rate,"
- "in a form having a surface area of more than 10 000 cm²/g," or
- "wherein the drospirenone has a particle size distribution such that not more than 2% of the particles have a diameter of more than 30 µm."

Compare the instant independent claims, each containing one of these recitations.

Regarding the inquiry in the Office Action as to common ownership, applicants state that the inventions of this application and U.S. Patent No. 6,869,941 were commonly owned or subject to an obligation of common assignment at the time of the invention of this application.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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